

REMARKS

Claims 3-5, 7-11, 13-15, 38, and 42-43 are pending in this application, claims 3-5, 7-11, 14-37 and 44-50 having been withdrawn from consideration. By this Amendment, claims 3-5, 7-11, 13-15, 38, and 42 are amended, and claims 1-2, 16-37, 39-41, 44-50 are canceled. Support for the amendments can be found in the claims as filed. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Applicant thanks the Examiner for the indication that claim 41 is objected to as dependent upon a rejected base claim, but would otherwise be allowable. By this Amendment, claim 38, from which claim 41 ultimately depends, is placed into independent form. Claim 38 is amended to incorporate the limitations of allowable claim 41, as well as intermediate claims 39 and 40, along with claims 1 and 2 from which claim 38 depended. Accordingly, claim 38 includes the allowable subject matter of claim 41.

I. Election of Species

Claims 3-5, 7-11, 14-37 and 44-50 are withdrawn from consideration as subject to an Election of Species Requirement. By this Amendment, claim 38 is amended to incorporate the allowable subject matter of claim 41. The other pending claims are amended as necessary to depend from allowable claim 38. Accordingly, rejoinder of the non-elected claims and search and examination of the remaining species within the scope of the allowable generic claim are respectfully requested.

II. Claim For Priority

The present Office Action has now acknowledged receipt of the certified copy of the priority application. For clarity and completeness of the record, a duplicate certified copy has been obtained and is filed herewith.

III. Translation of Priority Application

In the prior Office Action, rejections were made that relied upon Su Yu and Hara. Although the rejections were not expressly carried forward in this Office Action, as previously offered, Applicant has prepared and submits herewith an accurate English-language translation of the Japanese priority patent application. As the instant claims are fully supported by the priority document, Su Yu and Hara are not prior art to the instant application.

IV. Rejections Under §103

A. Lyu, Winker, Kajiyama, Parri

The Office Action rejects claims 1 and 13 under 35 U.S.C. §103(a) over U.S. Patent No. 6,646,701 to Lyu et al. ("Lyu") in view of U.S. Patent No. 5,985,106 to VanderPloeg et al. ("VanderPloeg"), U.S. Patent No. 5,504,603 to Winker et al. ("Winker") and U.S. Patent No. 5,403,510 to Kajiyama et al. ("Kajiyama"). The Office Action also rejects claims 2, 38-40 and 42-43 under 35 U.S.C. §103(a) over Lyu in view of VanderPloeg, Winker, and Kajiyama and further in view of U.S. Patent Application Publication No. 2004/0095532 to Parri et al. ("Parri").

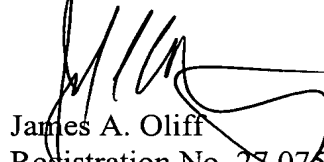
Although Applicant does not necessarily agree with the rejections, in the interest of advancing prosecution claim 38 is amended as described above to place it into independent form and to incorporate the subject matter of non-rejected claim 41. Accordingly, the rejections are overcome and must be withdrawn. Reconsideration and withdrawal of the rejections are respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

JAO:JSA/mog

Attachments:

Translation of Priority Application
Claim for Priority with Certified Copy

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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